

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



ITEM: 13.4
(ID # 26242)

MEETING DATE:

Tuesday, November 05, 2024

FROM : Regional Parks and Open Space District

SUBJECT: REGIONAL PARKS AND OPEN SPACE DISTRICT: Approve the First Amendment to Task Order #1 to the Consulting Services Agreement for Off Highway Vehicle (OHV) Tier 4 Feasibility Study with KTU&A to increase the total Task Order amount by \$26,903 from \$438,045 to \$464,948 effective through September 30, 2025; All Districts [Total Cost \$464,948; up to \$46,494.80 in additional compensation; 95% American Rescue Plan Act (ARPA) Fund 21735; 5% Park Acq & Dev, District Fund 33100]

RECOMMENDED MOTION: That the Board of Directors:

1. Approve the First Amendment to Task Order #1 under the Master Consulting Agreement between KTU&A and Riverside County Parks and Open Space District (Park District);
2. Authorize the Chairman to execute two (2) copies of the First Amendment to Task Order #1 on behalf of the District;
3. Authorize the Purchasing Agent to issue Purchase Orders to KTU&A for consulting services for the duration of the Task Order contract that do not exceed the total contract amount of \$464,948;
4. Authorize the attached PK-ARPA006 OHV Feasibility Study Project Budget in the amount of \$526,903;
5. Authorize the General Manager, or their Designee, based on the availability of fiscal funding and as approved as to form by County Counsel, to sign future amendments to Task Order #1 that do not exceed the sum total of ten percent (10%) of the total cost of Task Order; and
6. Direct the Clerk of the Board to return one (1) copy of the executed amended Task Order #1 to the Riverside County Regional Park and Open-Space District (District).

ACTION:Policy


Kyle R. Brown, General Manager 10/20/2024

MINUTES OF THE BOARD OF DIRECTORS

On motion of Director Jeffries, seconded by Director Gutierrez and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Spiegel, Washington, Perez and Gutierrez
Nays: None
Absent: None
Date: November 5, 2024
xc: Parks

Kimberly A. Rector
Clerk of the Board

By 
Deputy

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FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 526,903	\$0	\$ 526,903	\$ 0
NET COUNTY COST	\$0	\$0	\$0	\$ 0
SOURCE OF FUNDS: 95% ARPA Fund 21735; 5% Acq & Dev, District Fund 33100]			Budget Adjustment:	NO
			For Fiscal Year:	24/25

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

On September 10, 2024, by Minute Order 13.2, the Board of Directors approved and amended the Park District's 2022 On-Call Professional Services Providers List, Fiscal Limits, and On-Call Professional Services Agreement Template. This action prequalified an additional 16 consultants, thus increasing the number of consultants who are able to provide services to Park District projects to 42. The amendment also increased the cumulative not-to-exceed amount from \$1,000,000 to \$1,500,000 per consultant in a 3-year term and decreased the previously approved "not-to-exceed" amount from \$500,000 per Task Order to \$200,000 in an effort to align with Government Code 22502.5. The initial amounts were approved by the Board of Directors on February 7, 2023, Minute Order 13.1.

In December 2023, the Park District requested proposals from consultants from their prequalified consultants list to perform an expanded feasibility study on six pre-determined sites for the Off-Highway Vehicle (OHV) Tier 4 Feasibility Study project. A total of two (2) proposals were received from qualified vendors. An evaluation team consisting of personnel from the Park District reviewed the proposals and determined KTU&A as the successful consultant. Task Order #1 was issued for project management, opportunities and constraints, conceptual site designs, community and stakeholder outreach, and final study, in the amount of \$438,045. The Park District wishes to amend Task Order #1 to include the development and launch of the project website and ongoing website management. The change order increases the dollar amount of Task Order #1 by \$26,903, bringing the new Task Order #1 total to \$464,948. Due to this amount exceeding the previously established threshold for prequalified task orders, the Park District is seeking Board approval for the amended Task Order #1.

Impact on Residents and Businesses

The project will enhance the quality of life for Riverside County residents through a study with the goal of evaluating safe outdoor recreational opportunities.

Additional Fiscal Information

American Rescue Plan Act (ARPA) funds in the amount of \$500,000 were allocated to this project on October 4, 2022, by Minute Order 13.1. The amended Task Order 1 utilizes the previously allocated funds without increasing the ARPA allocation for the project. This project is partially funded by the American Rescue Plan Act (ARPA) and is subject to all associated

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restrictions, including schedules. This project also uses Park Acq & Dev, District Fund 33100 to cover additional costs incurred. Details can be found in the attached Project Budget Attachment.

ATTACHMENTS:

- Project Budget
- Amended Task Order #1
- Exhibit A 1


Melissa Curtis, Deputy Director of Purchasing and Fleet

10/22/2024


Douglas Ordóñez Jr.

10/23/2024


Aaron Gettis, Chief of Deputy County Counsel

10/23/2024

First Amendment to TASK ORDER # 1 for the Consulting Services Agreement

CONSULTANT: KTU&A

PROJECT NAME: OFF HIGHWAY VEHICLE (OHV) TIER 4 FEASIBILITY STUDY

This First Amendment to Task Order #1 that was issued pursuant to the Consulting Services Agreement between the RIVERSIDE COUNTY PARKS AND OPEN-SPACE DISTRICT (“DISTRICT”) and KTU&A (“CONSULTANT”) dated July 1, 2023, is hereby amended below.

RECITALS

WHEREAS, the parties entered into a Certain On-Call Consulting Services Agreement (“Agreement”) dated July 1, 2023, and entered into Task Order #1 pursuant to that Agreement on January 22, 2024 for \$438,045; and

WHEREAS, the parties now desire to amend Task Order #1 to include the additional services proposed in Scope of Work, attached hereto as Exhibit A 1 for an additional cost that would bring the total Task Order # 1 to \$464,948.

NOW THEREFORE, for good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, the parties agree as follows:


1. The above recitals are true and correct and incorporated herein by reference.
2. Task Order #1 is amended to delete “a fee amount of \$438,045” and replace with “a fee amount of \$464,948.”
3. Exhibit A 1, Scope of Services to Task Order #1 is amended to include the additional biological surveys, website development and management, determined necessary to successful completion of the original project scope and goals, attached as Exhibit A 1.
4. First Amendment to Prevail. The provisions of this First Amendment shall prevail over any inconsistency or conflicting provisions of the Agreement and shall supplement the remaining provisions thereof.
5. Effective Date. The “Effective Date” of this First Amendment shall be October 29, 2024.

6. Entire Understanding. The First Amendment and the Agreement set forth contain the entire understanding and agreement of the Parties hereto. There are no oral or written representations, understandings, or ancillary covenants, undertakings or agreements, which are not contained or expressly referred to within this First Amendment and the Agreement.
7. Further Assurances. The Parties agree to execute such other documents and to take such as may be reasonably necessary to further the purposes of this First Amendment.
8. Agreement in Full Force and Effect. Except as otherwise expressly modified herein, all other terms and conditions of the Agreement remain unmodified and in full force and effect.

IN WITNESS WHEREOF, the Parties hereto have caused their duly authorized representatives to execute this First Amendment.

RIVERSIDE COUNTY PARKS AND OPEN SPACE DISTRICT **KTU&A**

By: 
KEVIN JEFFRIES
CHAIR, BOARD OF DIRECTORS
ATTEST:
KIMBERLY A. RECTOR, Clerk

By: 
MARK CARPENTER
CHIEF FINANCIAL
OFFICER

By: 
DEPUTY
Recommended:

By: 
KYL A BROWN
GENERAL MANAGER

FORM APPROVED COUNTY COUNSEL
BY 
KRISTINE BELL-VALDEZ DATE

Project Budget

Riverside County Regional Park and Open-Space District

Project: **Off Highway Vehicle Feasibility Study**

Project No.: PK-ARPA006

	Budget	Percent
Administrative Costs \$	61,955.00	12%
KTUA Task Order \$	438,045.00	83%
KTUA Task Order Amend. 1 \$	26,903.00	5%
TOTAL COSTS \$	526,903.00	100%

EXHIBIT A 1



3916 Normal Street
San Diego, CA 92103
619.294.4477
www.ktua.com

July 18, 2024

Mark Carpenter
KTUA Planning and Landscape Architecture
3916 Normal Street
San Diego, CA 92103

Dear Riverside County Regional Park and Open-Space District:

Attached you will find an add-service scope and fee for the KTUA team to provide the following items as part of the Riverside County OHV Tier 4 Feasibility Study:

- Task 1: Develop and Launch
- Task 2: Ongoing Website Management

KTUA team member Kearns & West has agreed to the attached scope and fee, as shown by the memo from Kearns & West memo also attached.

Sincerely,

A handwritten signature in blue ink that reads 'Mark Carpenter'.

Mark Carpenter
Principal
KTUA

Riverside County OHV Tier 4 Feasibility Study: Add-On Website Management Task	Kearns & West (outreach subconsultant)								KTUA (project prime)				
	Principal	Director	Senior Associate	Project Coordinator/ Graphics	Vice President	Total Labor (K&W)	ODC	Total (Kearns & West)	Principal	Associate	Senior Planner / Designer	Total labor (KTUA)	Proposal Total
Staff Titles and Rates:	\$330	\$215	\$190	\$140	\$275				\$ 190	\$ 135	\$ 125		
Task 1: Develop and Launch Website													
Kearns & West will develop and launch a stand-alone project website with a custom domain name using the Squarespace platform. This website will replace <i>www. RivCoParksOHV.org</i> and will be used to share out project related information such as upcoming engagement activities, links to related documents and maps. Other direct costs (ODC) include new domain name and initial fee to set up website.	1	15	24	0	4	\$9,215	\$75	\$9,290	0	2	4	\$770	\$10,060
Task 2: On-going Website Management													
Kearns & West will attend up to 8 meetings through Sept. 2025 with KTUA and RivCo staff to discuss website updates and review material needs to be created and/or uploaded to the site. Staff time includes monthly maintenance of website to ensure functionality and that posted information is accurate and up to date. ODC includes monthly SquareSpace service fee for 15-months. In September 2025, RivCo and/or KTUA can take over maintenane of Squarespace account and associated monthly fees.	4	8	16	16	0	\$8,320	\$375	\$8,695	0	8	16	\$3,080	\$11,775
Project Totals	5	23	40	16	4	\$ 17,535	\$ 450	\$ 17,985	0	10	20	\$ 3,850	\$ 21,835

MEMO

To: Mark Carpenter and Alex Samarin, KTUA
 From: Joan Isaacson, Principal and Danielle Berger, Director
 Date: July 11, 2024
 Re: RivCo OHV Tier 4 Feasibility Study – Add-on Website Development and Management Task

Kearns & West agrees to the following add-on tasks and associated fees for website development and management in support of the OHV Tier 4 Feasibility Study through September 2025.

Task 1: Develop and Launch Website

Kearns & West will develop and launch a stand-alone project website with a custom domain name using the Squarespace platform. This website will replace www.RivCoParksOHV.org and will be used to share project-related information such as upcoming engagement activities, links to related documents and maps. Other direct costs (ODCs) include new domain name and initial fee to set up website.

Fee: \$9,290

Task 2: On-going Website Management

Kearns & West will attend up to 8 meetings through Sept. 2025 with KTUA and RivCo staff to discuss website updates and review material that needs to be created and/or uploaded to the site. Staff time includes monthly maintenance of website to ensure functionality and that posted information is accurate and up to date. ODC includes monthly Squarespace service fee for 15-months. In September 2025, RivCo and/or KTUA can take over maintenance of Squarespace account and associated monthly fees.

Fee: \$8,695

Total Fee: \$17,985

Task	Principal	Director	Senior Associate	Project. Coordinator	Vice President	Senior Director	Associate	Total Labor	ODCs	Total Cost
	\$330	\$215	\$190	\$140	\$275	\$235	\$165			
Task 1	1	15	24	0	4	0	0	\$9,215	\$75	\$9,290
Task 2	4	8	16	16	0	0	0	\$8,320	\$375	\$8,695
Totals	5	23	40	16	4	0	0	\$17,535	\$450	\$17,985



3916 Normal Street
San Diego, CA 92103
619.294.4477
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August 16, 2024

Mark Carpenter
KTUA Planning and Landscape Architecture
3916 Normal Street
San Diego, CA 92103

Dear Riverside County Regional Park and Open-Space District:

Attached you will find an add-service scope and fee for the KTUA team to provide the following items as part of the Riverside County OHV Tier 4 Feasibility Study:

- Task 1: Biological Constraints –additional survey labor to accommodate multiple trips (3 total) due to right of entry permit process = \$5,068 of additional fee

KTUA team member Rincon has agreed to the attached scope and fee, as shown by the memo from Rincon memo also attached.

Sincerely,

A handwritten signature in black ink that reads "Mark Carpenter". The signature is stylized and cursive.

Mark Carpenter
Principal
KTUA



RINCON CONSULTANTS, INC. SINCE 1994

Rincon Consultants, Inc.
250 East 1st Street, Suite 1400
Los Angeles, California 90012
213-788-4842

August 2, 2024
Project No: 23-15498

Mark Carpenter, Principal
KTUA
3916 Normal Street
San Diego, California 92103

Subject: Budget Amendment Request to Provide Additional Environmental Consulting Services for the Riverside County Off Highway Vehicle (OHV) Park Tier 4 Feasibility Analysis

Dear Mr. Carpenter:

Rincon Consultants, Inc. (Rincon) is pleased to submit this budget amendment request to KTUA for additional environmental consulting services for the Riverside County OHV Park Tier 4 Feasibility Study Project. This amended scope of work adds an additional budget for Task 5: Additional Biological Day Survey. This amendment addresses the need for an expanded scope and increased budget to complete the Tier 4 analysis effectively. The proposed amended scope of work, assumptions, and cost estimate are described in detail below. If you have any questions regarding this submittal, please do not hesitate to contact us.

Scope of Work

Task 5 Additional Biological Day Survey

This amendment adds an additional day of surveying to be conducted by Rincon to enhance our assessment of the potential for special-status species within the project site. The assessment will be based on a habitat suitability analysis level only and does not include definitive surveys for the presence or absence of any species that may be present, unless incidental direct observations during the additional survey confirm presence of special-status species.

Rincon will identify any critical biological constraints that could result in significant costs or delays, require agency consultation and permitting (e.g., Clean Water Act permitting, CDFW Section 1600 permitting and/or CDFW or USFWS incidental take coverage) or required protocol-level surveys that may result in significant costs or time-constraints to complete. We have allocated an additional total of 24 staff hours to complete this task.

Assumptions

We have made the following assumptions in developing the proposed scope of work for this budget amendment request:

- This task previously scoped for high-level reconnaissance site visits of all six sites to be conducted by two Rincon biologists in two 12-hour days. This amendment adds a site visit for an additional 12-hour day of surveying for two biologists.
- High-level reconnaissance visits will be limited to a cursory habitat suitability assessment for special-status species, jurisdictional waters, sensitive vegetation communities, and other sensitive



biological resources. No focused-level presence/absence surveys are included in this scope and detailed habitat/vegetation community mapping will not be conducted.

Cost Estimate

The proposed additional time to implement this scope of work equates to \$5,068 Table 1 below provides a summary of the project task costs (existing and amendment requested) and total project cost estimate inclusive of the above task. A detailed cost breakdown for the cost amendment request is provided as Attachment 1.

Table 1 Existing Tasks Cost Summary

Task		Estimated Total Cost			
Task 1	Biological Constraints	\$19,998.00 (existing)	+	\$0	= \$19,998
Task 2	Cultural Resources Constraints	\$47,094.00 (existing)	+	\$0	= \$47,094
Task 3	Noise Constraints	\$20,622.00 (existing)	+	\$0	= \$20,622
Optional Task	Ambient Noise Measurements	\$11,429.60 (existing)	+	\$0	= \$11,429.60
Task 4	Project Management	\$10,383.00 (existing)	+	\$0	= \$10,383
Direct Expenses		\$539.00 (existing)	+	\$0	= \$539
Document Review/Writing		\$8,614.00 (existing)	+	\$0	= \$8,614
Task 5	Additional Biological Day Survey	\$0.00 (existing)	+	\$5,068 (Amendment 1)	= \$5,068
Total		\$118,679.60 (existing)	+	\$5,068 (Amendment 1)	= \$123,747.60

The work described in this proposal will be performed in accordance with the existing executed contract between Rincon and KTUA. If necessary, any additional work not included in this proposal can be performed with your written authorization on a time and materials reimbursement basis in accordance with Rincon's most current fee schedule and the terms and conditions outlined in the agreed upon contract. A separate scope of work and cost estimate would be provided for additional work beyond those identified in the work scope assumptions above. No additional services will be provided without receipt of prior written approval.

We sincerely appreciate the opportunity to continue working with you on this project. Please contact us at any time with any questions.

Sincerely,

Rincon Consultants, Inc.

Emily Marino
Project Manager
213-224-6893
emarin@rinconconsultants.com

Angie Harbin
Director
760-205-2104
aharbin@rinconconsultants.com

Attachments

Attachment 1 Estimated Cost Breakdown



Authorization

Authorize Rincon to proceed with the work program described above by signing and dating along the signature line below.

I authorize the scope of work indicated above.

Authorized Signature

Date

Attachment 1

Estimated Cost Breakdown



KTUA

**Budget Amendment Request to Provide Additional Environmental Consulting Services
for the Riverside County Off Highway Vehicle (OHV) Park Tier 4 Feasibility Analysis**

Estimated Cost Breakdown

	Rate	Hours	Units	Labor Budget	Direct Expenses	Total Budget
Task 5 Additional Day Survey		24		\$4,392.00	\$676.00	\$5,068.00
Biologist IV	\$211.00	12		\$2,532.00		
Biologist I	\$155.00	12		\$1,860.00		
Standard Field Package	\$114.00		2		\$228.00	
Travel - Mileage	\$0.67		400		\$268.00	
Vehicle Day Rate	\$90.00		2		\$180.00	
Project Total		449.00		\$100,765.00	\$22,644.60	\$123,747.60